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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR APPLICATION SER. NO. 10/656,368

Docket Number: HORN3170/BEU

In re Application of: Alex HORNG *et al.*

Application No.: 10/699,642

Filed: November 4, 2003

For: Airflow Guiding Structure For A Heat Dissipation Fan

The owner, Sunonwealth Electric Machine Industry Co., Ltd., of 100 percent interest in the instant application, by virtue of an assignment recorded on November 4, 2003 at Reel 014667, Frame 0725, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Application Ser. No. 10/656,368, filed on September 8, 2003 (hereinafter, the second application), of any patent granted on the second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, shortened by any terminal disclaimer filed prior to the patent grant in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner

Serial No.: 10/115,031
Group Art Unit: 2685
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terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney or agent of record.



Signature

September 28, 2005

Date

Benjamin E. Urcia

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